

Message Text

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21

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 AID-05 CEA-01 CIAE-00 COME-00

FRB-03 INR-07 NSAE-00 CIEP-01 SP-02 STR-01 TRSE-00

LAB-04 SIL-01 SAM-01 OMB-01 AGR-05 L-02 /054 W

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R 071657Z MAR 75

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC 8440

INFO ALL EC CAPITALS 429

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E.O. 11652: NA

TAGS: ETRD, EEC

SUBJECT: CHEESE AND COUNTERVAILING DUTIES

REFS: A) STATE 34644

B) EC BRUSSELS 1366

1. MARMULLA OF THE COMMISSION'S DIRECTORATE GENERAL FOR AGRICULTURE RESPONDED ON MARCH 7 TO THE QUERY POSED IN PARA 5 OF REF A. MARMULLA SAID THAT THE COMMUNITY AND ITS MEMBER STATES DO NOT MAINTAIN A SYSTEM OF CLASSIFICATION SIMILAR TO THAT OF THE SWISS. SINCE THERE ARE NO SUCH CLASSIFICATIONS, THE POSSIBILITY OF DOWNGRADING IN THE FASHION DESCRIBED IN PARA 5 DOES NOT EXIST. HE WENT ON TO SAY THAT THE COMMUNITY RESTITUTIONS ARE BASED ON THE ASSUMPTION THAT THE BEST QUALITY CHEESE WITHIN A CATEGORY IS THAT WHICH IS EXPORTED TO THE US. HE ARGUED THAT THIS ASSUMPTION REFLECTED COMMERCIAL PRACTICES--THAT ONLY THE BEST CHEESE WAS EXPORTED.

2. IN THE COURSE OF DISCUSSION, WE NOTED, AND COMMISSION OFFICIALS CONFIRMED, THAT THERE IS ONLY ONE RESTITUTION FOR EACH CATEGORY AND THAT ANY CHEESE PROPERLY FALLING WITHIN THAT CATEGORY, OF WHATEVER
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QUALITY, IS ELIGIBLE FOR THE RESTITUTION. WHAT IS

NOT THE CASE, ACCORDING TO MARMULLA, IS THE EX-
SISTENCE OF AN ARTIFICALLY SPLIT MARKET, SUCH AS
REF A STATES EXISTS IN SWITZERLAND, WHICH MEANS THAT
THERE WOULD NOT BE A SITUATION WITHIN THE COMMUNITY
IN WHICH THE SAME QUALITY WITHIN A CHEESE CATEGORY
WOULD BE SELLING AT WIDELY DIVERGENT PRICES. GREENWALD

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Message Attributes

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Margaret P. Grafeld
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